BEFORE THE SURFACE TRANSPORTATION BOARD

ARIZONA ELECTRIC POWER
COOPERATIVE, INC.
Complainant,
Docket No. 42113 (Sub-No. 1)

v.

UNION PACIFIC RAILROAD COMPANY
Defendant.

MOTION TO DISMISS WITH PREJUDICE

Complainant, Arizona Electric Power Cooperative, Inc. ("AEPCO") has reached a voluntary settlement with Defendant, Union Pacific Railroad Company ("UP"). Accordingly, AEPCO requests that the Board dismiss this sub-docket with prejudice and discontinue these proceedings.

Respectfully submitted,

ARIZONA ELECTRIC POWER COOPERATIVE, INC.

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Dated: March 24, 2011

CERTIFICATE OF SERVICE

I hereby certify that on this 24th day of March 2011, I caused copies of the foregoing Motion to Dismiss to be served by email on counsel for Defendant Union Pacific Railroad Company, as follows:

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